

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (GBD/SN)
)

**Declaration of Alan R. Kabat in Support of
Defendants Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Dr. Abdullah Naseef,
and Dr. Adnan Basha's Motion for Reconsideration**

I am an attorney licensed to practice in the District of Columbia and am admitted *pro hac vice* in this matter. I am with the law firm of Bernabei & Kabat, PLLC, co-counsel to defendants Dr. Abdullah bin Mohsen Al-Turki, Dr. Abdullah bin Saleh Al-Obaid, Dr. Abdullah Omar Naseef, and Dr. Adnan Basha. I submit this declaration in support of these four defendants' motion for reconsideration.

1. Attached hereto as Exhibits 1 and 2 are the Declaration of Dr. Adnan Basha (July 13, 2018) and Dr. Abdullah bin Mohsen Al-Turki (July 19, 2018). The latter declaration was executed in Arabic, and an English translation is included.

2. Attached hereto as Exhibits 3 and 4 are the letters that I wrote to our contacts at the Saudi Embassy in Washington, D.C. on October 10, 2017, and on December 1, 2017. I received an acknowledgment from the Embassy but did not receive any substantive response.

3. With respect to Dr. Abdullah Naseef, my co-counsel and I have learned from his son that Dr. Naseef suffers from cardiovascular disease, cerebral vascular disease, and prostate cancer, among other illnesses; and was further diagnosed with Parkinson's disease earlier this year. He has been bedridden for approximately seven months. We can provide his most recent medical records under seal to the Court if needed.

4. I declare under the penalties of perjury under the laws of the United States that the

foregoing is true and correct to the best of my knowledge and belief.

Executed on July 20, 2018.

A handwritten signature in blue ink that reads "Alan R. Kabat". The signature is written in a cursive, flowing style.

ALAN R. KABAT

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on Sept. 11, 2001

)
) No. 03-MDL-1570 (GBD)(SN)
)

DECLARATION OF DR. ADNAN BASHA

Under penalty of perjury, I, Dr. Adnan Basha, attest that the following is true and correct to the best of my knowledge:

1. I hereby certify that, prior to my recent retirement as the Secretary General of the International Islamic Relief Organization (IIRO), I directed my assistants to guide the IIRO's attorneys through the IIRO's files and archives, and I ensured that the attorneys had full access to the IIRO's files and archives, which include my own records and documents. I did not retain any documents relating to this case when I retired from IIRO.

2. I further certify that, through my attorneys, I have produced all non-privileged documents responsive to the jurisdictional discovery document requests, including both the documents that were part of the productions of the Muslim World League and the IIRO, and any documents that are in my possession. I have not withheld any documents on the basis of privilege, other than communications with my lawyers after this lawsuit was filed.

3. I hereby provide the following information on my travels to the United States of America from 1992 through 2002, which I previously provided to this Court: (i) I traveled to Orlando, Florida twice for a family vacation in July 1997 and August 1999, accompanied by my wife and our four children; and (ii) in June 2001, I traveled to New York to attend the meetings of the Special Committee of the United Nations General Assembly concerning children, and was accompanied by my two daughters.

4. I do not have my passports for that time period, and the above information is from my memory.


5. As I understand the Court has indicated that I also should provide information about other trips outside Saudi Arabia that I have made in recent years. In the years before my retirement, I traveled to various countries where IIRO has operations.

6. I have undergone medical treatment for cancer in the past, and continue to have regular follow-up medical appointments to monitor my status. I am scheduled for further diagnostic testing in September in Saudi Arabia. I indicated to my counsel that I was available for a deposition in the week of August 5-9, 2018, and on June 8, 2018, my counsel notified counsel for plaintiffs of that availability. Counsel informed me recently that those dates were not feasible for plaintiffs.

7. I am aware that Plaintiffs' counsel have requested to schedule my deposition between the dates of September 10 and 18, 2018 in London. Unfortunately, I am currently unable to travel outside of Jeddah, Saudi Arabia because, in addition to my own health issues, I am the sole caretaker of my wheelchair-bound mother, who is over ninety years of age and suffers from cancer, dementia, and Alzheimer's. She relies on me completely and would be extremely distressed if I left her for any material period of time. Therefore, I am unable to leave Jeddah to give a deposition. I would note that when I most recently applied for a visa to the United States several years ago, I did not receive a visa nor was I officially turned down; so this makes me doubt whether I could obtain a visa to Western Europe, but in any event, my obligations to my mother require my presence for the foreseeable future. However, I am available to give a deposition from Jeddah via videolink between the dates of September 10 and

18, 2018, or later in the autumn depending on convenience of counsel and scheduling of other depositions.

8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNED: 
Dr. Adnan Basha

EXECUTED ON: 07.13.2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: Terrorist Attacks on
September 11, 2001¹

No. 03 MDL 1570 (GBD) (SN)

TRANSLATION AFFIDAVIT

I, the undersigned Amale Abi Saab, certify that the English translation of the Declaration of Dr. Abdullah Bin Abdul Mohsen Al-Turki. is a true and accurate translation of the Arabic original signed on July 19, 2018 A.D .

Name: Amale Abi Saab

Signature: Amale Abi Saab

Date: 07/20/2018



District of Columbia: SS

Subscribed and sworn to before me, in my presence,
this 20 day of July, 2018

Otero L. Tinker II
Otero L. Tinker II, Notary Public, D.C.

My commission expires October 31, 2019.

¹ This applies to: *Ashton, et al. v. Al Qaeda Islamic Army, et al.*, Case No. 02-cv-6977 (GBD) (SN); *Burnett, Sr., et al. v. Al Baraka Investment & Development Corp., et al.*, Case No. 03-cv-9849 (GBD) (SN); *Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al.*, Case No. 04-cv-7065 (GBD) (SN); *Continental Casualty Co., et al. v. Al Qaeda et al.*, Case No. 04-cv-05970 (GBD) (SN); *Euro Brokers Inc., et al. v. Al Baraka, et al.*, Case No. 04-cv-7279 (GBD)(SN); *Federal Insurance Co., et al. v. Al Qaida, et al.*, Case No. 03-cv-6978 (GBD) (SN); *O'Neill, Sr., et al. v. Al Baraka et al.*, Case No. 04-cv-1923 (GBD) (SN).

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on Sept. 11, 2011[sic]

)
) No. 03-MDL-1570 (GBD)(SN)
)

**TRANSLATION OF DECLARATION OF
DR. ABDULLAH BIN ABDUL MOHSEN AL-TURKI**

Under penalty of perjury, I, Dr. Abdullah bin Abdul Mohsen Al-Turki, attest that the following is true and correct to the best of my knowledge:

1. I was Secretary General of the Muslim World League from 2001 to 2016, when I left that position.

2. First, I wish to state to the Court that my not having filed a Declaration prior to this one was because I was not aware of any request that I do so and intended no lack of willingness to cooperate or to honor Court orders. I was not aware until a few weeks ago that any attorney was trying to contact me or seek a declaration from me with respect to discovery. I have been informed that Mr. Kabat did try to make contact through intermediaries, I was not contacted and have not met with or spoken with him. None of my children have been contacted by U.S. attorneys. I had no contact by telephone or in person with any attorneys since my departure from MWL until July 9, 2018. I do not speak English. I do not have an email account or communicate by email.

3. I learned a few weeks ago from an official of the Saudi Royal Court that my cooperation was sought in this matter and he scheduled a meeting with a legal team for MWL,

including native Arabic speakers. I met with them in person on July 9 and 10. I am willing to continue to participate in this case to the full extent of my abilities and knowledge.

4. With respect to production of documents, I certify that, prior to the end of my time as the Secretary-General of the Muslim World League (MWL), I directed officials of MWL to guide MWL's attorneys through MWL's files and archives, and I ensured that the attorneys had full access to the MWL's files and archives. I directed complete cooperation in that exercise. When my time at MWL ended, I did not personally retain any MWL-related documents.

5. Accordingly, I can further certify that, through my attorneys, all documents responsive to the jurisdictional discovery document requests have been produced, through the documents that were part of the productions of the MWL and the International Islamic Relief Organization. I have not retained any other documents and no documents have been withheld on the basis of any privilege.

6. With respect to passports, I was asked on July 9, 2018 to search for any passports I have in my possession. I have provided my attorneys with copies of those passports, none of which are dated between the 1992-2004 date range .

7. From my best recollection, I can recall that I traveled to the United States approximately four times, including twice while I was Secretary General of MWL. I do recall a visit in 1979 at the invitation of the University of California, Los Angeles, and in 1998 to attend the opening of the King Fahd Mosque in Los Angeles. After I was appointed Secretary General, I traveled to the United States in 2002 to New York, Chicago, Los Angeles, and Washington, D.C. to participate in numerous meetings and conferences in inter-faith dialogue explaining that Islam is a religion of peace that opposes and strongly condemns terrorism and the terrible

terrorist attacks of September 11 I also traveled with His Majesty, the late King Abdullah bin Abdulaziz Al Saud, to New York in approximately 2008 for the Interfaith Dialogue at the United Nations.

8. I have visited a number of countries in Western Europe, including a visit to attend King Abdullah's World Conference on Dialogue in Madrid. I also traveled to numerous other countries with substantial Muslim populations where MWL has activities while I was Secretary General in connection with my duties at MWL, and at every opportunity, I have reiterated the need to counter terror.

9. I am 80 years old in Hijri years, which translates to approximately 78 years under the Gregorian calendar. I have had significant cardiac issues and have undergone open-heart surgery. My doctor has recently advised that a long airplane trip is not advisable, unless I need specialist medical care that is not available in Saudi Arabia. I attach a copy of my cardiologist's written medical advice. I am willing to sit for a deposition in this case, but I would be most grateful if, considering my age and health condition, the Court permitted my deposition to be taken by video-link from Riyadh.

10. I regret the unfortunate failure in communications, which resulted in my not being informed until recently of this situation. I have now met with US lawyers in person and my obligations have been explained to me. Since I was advised of these issues some weeks back, I am available to meet and participate, although my medical condition somewhat limits the hours that I can work effectively. An earlier meeting in late May with MWL lawyers had been scheduled but had to be canceled as I understand one of the MWL lawyers had a family emergency. I can assure that I meant no discourtesy to the Court. I intend to participate in the litigation and to comply with any obligations set by the Court.

SIGNED: _____ DATED: _____
Dr. Abdullah bin Abdul Mohsen Al-Turki

المحكمة الدائرة في الولايات المتحدة

المحكمة الدائرة الجنوبية بنيويورك

No. 03-MDL-1570 (GBD)(SN)

(
(في موضوع دعوى الهجمات الإرهابية في 11 سبتمبر، 2011
(

بيان الدكتور عبدالله بن عبد المحسن التركي

تحت طائلة عقوبة الإدلاء بإفادة أو شهادة الزور، أنا، الدكتور عبدالله بن عبد المحسن التركي، أشهد بأن ما يلي هو صادق وصحيح على حد علمي:

1. لقد كنت الأمين العام لرابطة العالم الإسلامي في الفترة الممتدة من 2001 إلى 2016، عندما تركت هذا المنصب.

2. أولاً، أود أن أوضح للمحكمة الكريمة سبب عدم قيامي بتقديم بيان قبل هذا البيان وهو أنني لم أعلم بأي طلب في هذا الشأن، ولم يكن لدي أي نية بعدم التعاون أو عدم إحترام أوامر المحكمة المؤقتة. لم أكن على علم إلا منذ بضعة أسابيع بأن أي محام كان يحاول الاتصال بي أو يطلب إفادة مني فيما يتعلق بموضوع الإستكشاف. لقد أخبرت مؤخراً أن السيد كابات حاول الاتصال بي عبر وسطاء، ولكن لم أكن على علم بذلك ولم أقبله ولم أتحدث إليه. لم يتلق أي من أولادي اتصالاً من أي محامي من الولايات المتحدة. لم يكن لدي أي اتصال لا عبر الهاتف ولا شخصياً مع أي محام منذ انتهاء مدة عملي بالرابطة حتى تاريخ 9 يوليو 2018. أنا لا أتكلم الانكليزية ولا أملك عنوان بريد إلكتروني ولا أستخدمه للتواصل.

3. لقد علمت قبل بضعة أسابيع من مسؤول في الديوان الملكي في السعودية أنه تم طلب تعاوني في هذا الأمر وقد حدد موعد للإجتماع مع فريق قانوني للرابطة، بما في ذلك أشخاص يتكلمون اللغة العربية. التقيت بهم شخصياً بتاريخ 9 و 10 يوليو. أنا على استعداد لمواصلة المشاركة في هذه الدعوى إلى أقصى مدى قدراتي ومعلوماتي.

4. فيما يتعلق بمسألة تقديم المستندات، أقر بأنه قبل انتهاء فترة عملي في منصب الأمين العام لرابطة العالم الإسلامي (الرابطة)، قمت بتوجيه موظفين مسؤولين في الرابطة لتوجيه محامي الرابطة من خلال ملفات ومحفوظات الرابطة، وتأكدت من أن للمحامين وصولاً كاملاً إلى ملفات ومحفوظات الرابطة وأمرت بالتعاون الكامل معهم. عندما انتهت فترة عملي في الرابطة لم أحتفظ شخصياً بأي مستند يتعلق بالرابطة.

٢٠١٨/٧/١٩

5. وبناءً على ذلك، يمكنني علاوة على ذلك أن أشهد بأن جميع المستندات المطلوبة التي تستجيب لطلبات وثائق الاستكشاف القضائية قد قُدمت، وذلك من خلال المستندات التي كانت جزءاً من المستندات التي قدمتها الرابطة وهيئة الإغاثة الإسلامية العالمية. لم احتفظ بأي مستندات أخرى ولم يتم حجب أي من المستندات بحجة السرية.

6. فيما يتعلق بجوازات السفر، لقد طُلب مني بتاريخ 9 يوليو 2018 البحث عن أي جوازات سفر هي بحوزتي. لقد زُودت محاميي بنسخ من هذه الجوازات، ولا تحمل أي منها تاريخ بين الفترة الزمنية الممتدة بين سنة 1992-2004.

7. من الذاكرة، أستطيع أن أذكر أنني سافرت إلى الولايات المتحدة حوالي الأربع مرات، بما في ذلك مرتين عندما كنت الأمين العام للرابطة. أذكر زيارة عام 1979 بدعوة من جامعة كاليفورنيا في لوس أنجلوس، وفي عام 1998 لحضور افتتاح مسجد الملك فهد في لوس أنجلوس. بعدما تم تعييني أميناً عاماً، سافرت إلى الولايات المتحدة سنة 2002 إلى نيويورك، شيكاغو، لوس أنجلوس، وواشنطن العاصمة للمشاركة في العديد من الاجتماعات والمؤتمرات حول حوار بين الأديان يشرح أن الإسلام هو دين سلام يعارض الإرهاب والتطرف ويستنكر بشدة هجمات 11 سبتمبر الإرهابية. كما سافرت مع جلالة المغفور له الملك عبد الله بن عبد العزيز آل سعود إلى نيويورك في عام 2008 تقريباً لحضور مؤتمر الأديان في الأمم المتحدة.

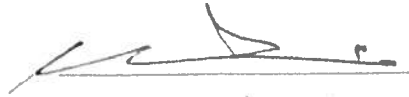
8. لقد قمت بزيارة عدد من البلدان في أوروبا الغربية، بما في ذلك زيارة لحضور مؤتمر الملك عبد الله لحوار الأديان في مدريد. كما سافرت إلى العديد من البلدان الأخرى التي فيها عدد كبير من السكان المسلمين حيث كان للرابطة نشاطات لها عندما كنت أميناً عاماً للرابطة ولها علاقة مع واجباتي في الرابطة، وفي كل مناسبة، كنت أكرر التأكيد على ضرورة مكافحة الإرهاب.

9. عمري 80 سنة حسب التقويم الهجري، وتترجم إلى حوالي 78 سنة حسب التقويم الميلادي. لقد عانيت من مشاكل قلبية كبيرة وخضعت لجراحة القلب المفتوح. نصحتني طبيبي مؤخراً بعدم القيام برحلة طويلة في الطائرة، إلا في حال احتياجي إلى رعاية طبية متخصصة غير متوفرة في المملكة العربية السعودية. أرفق نسخة من الخطاب الخطي لطبيب القلب الخاص بي. أنا على استعداد للمثول لجلسة أخذ الإفادة في هذه الدعوى، ولكن سأكون ممثلاً للغاية إن شاء الله مع الأخذ بعين الاعتبار إلى سني وحالتي الصحية، قد تسمح المحكمة بأن يتم أخذ إفادتي في الرياض عن طريق الاتصال عبر الفيديو.

10. يؤسفني القتل الذريع في التواصل والذي سببه عدم علمي بهذا الشأن إلا مؤخراً. لقد اجتمعت الآن شخصياً مع محامين أميركيين وقد تم شرح التزاماتي. بما أنه قد تم إبلاغي بهذه المسائل منذ بضعة أسابيع، أنا متوفر للاجتماع والمشاركة، بالرغم من أن حالتي الصحية تحدني إلى حد ما الساعات التي يمكنني العمل فيها بفعالية. لقد كان من المقرر عقد اجتماع سابق في نهاية مايو مع محامي الرابطة ولكن تم إلغاؤه لأنه وحسب ما فهمت لأحد محامي الرابطة حالة عائلية

١٩٧١/١٢/٢٠

طائرة. أؤكد أنني لم أقصد الإستهانة بالمحكمة الكريمة أو التفسير، أوي المشاركة في التقاضي في هذه الدعوى والامتنال لأي
التزامات نحددتها المحكمة.

التوقيع: 

الدكتور عبدالله بن عبد المحسن التركي

التاريخ: ٢٠١٨ / ٧ / ١٩ م

BERNABEI & KABAT, PLLC

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DEVIN WRIGLEY

* ADMITTED IN MD ONLY

By Email and First Class Mail

October 10, 2017

Fahed Al-Rawaf, Esquire
Amani Al-Rowais, Esquire
Royal Embassy of Saudi Arabia
601 New Hampshire Avenue, NW
Washington, DC 20037

Dear Fahed and Amani:

I write to request the favor of your assistance in obtaining the passports and any related visa information for the following four individuals, who were formerly employed at the Muslim World League or the International Islamic Relief Organization. The time period sought is 1992 to 2002. Please check with the General Directorate of Passports, Ministry of Interior, as to whether their passports for that time period are still available and can be copied. The names are given here as transliterations, and the official records may have used a different spelling.

1. Dr. Abdullah bin Abdulmohsin Al-Turki. Born in Kharmah Village, Al-Majma'h Province, Riyadh Region, 4 August 1940 [29 Jumada Al-Akhira 1359]
2. Dr. Abdullah bin Saleh bin Obaid Al-Obaid. Born in Al-Badaie, Al-Qassim Region, Saudi Arabia in 1361 AH / 1941 AD.
3. Dr. Abdullah Omar [Umar] Naseef [Nasif]. Born in Jeddah, 01\07\1358 A.H.
4. Dr. Adnan Khalil Basha. Born in Makkah, 19/04/1949 AD.

Please advise as to whether their passports, or information relating to their passports, for 1992-2002, is still available.

Sincerely yours,

A handwritten signature in blue ink that reads "Alan R. Kabat". The signature is written in a cursive style with a large, stylized "A" and "K".

Alan R. Kabat

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DEVIN WRIGLEY

* ADMITTED IN MD ONLY

By Email and First Class Mail

December 1, 2017

Fahed Al-Rawaf, Esquire
Amani Al-Rowais, Esquire
Royal Embassy of Saudi Arabia
601 New Hampshire Avenue, NW
Washington, DC 20037

Dear Fahed and Amani:

I write to request the favor of your assistance in obtaining the passports and any related visa information for the following four individuals, who were formerly employed at the Muslim World League or the International Islamic Relief Organization. The time period sought is 1992 to 2002. We represent all four of them in the Sept. 11 litigation that is pending in the U.S. District Court for the Southern District of New York, and have represented them since 2003. Two of them (Dr. Al-Obaid and Dr. Basha) have said that they no longer have their passports for that time period and we have not heard from the other two.

During the September 8, 2017 status conference, Judge Netburn directed us to provide that information, on the grounds that it was potentially relevant to showing their contacts with the United States. While the judge did not set a specific deadline, the plaintiffs are likely to seek sanctions from the court if we do not produce that information, and the Judge has in the past imposed monetary sanctions or even a default judgment on other defendants who did not (or could not) comply with discovery orders. Ideally we should have this information by the end of December, or early January.

Please check with the General Directorate of Passports, Ministry of Interior, as to whether their passports for that time period are still available and can be copied. The names are given here as transliterations, and the official records may have used a different spelling.

1. Dr. Abdullah bin Abdulmohsin Al-Turki. Born in Kharmah Village, Al-Majma'h Province, Riyadh Region, 4 August 1940 [29 Jumada Al-Akhira 1359]
2. Dr. Abdullah bin Saleh bin Obaid Al-Obaid. Born in Al-Badaie, Al-Qassim Region, Saudi Arabia in 1361 AH / 1941 AD.
3. Dr. Abdullah Omar [Umar] Naseef [Nasif]. Born in Jeddah, 01/07/1358 A.H.
4. Dr. Adnan Khalil Basha. Born in Makkah, 19/04/1949 AD.

Please advise as to whether their passports, or any other information relating to their passports and foreign travels (such as visas and related correspondence), for 1992-2002, is still available.

Sincerely yours,



Alan R. Kabat